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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,699	07/27/2006	Ulrich Bauch	2004P00851	3533
24131 7590 07/11/2008 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480				
EXAMINER				
FISHMAN, MARINA				
ART UNIT		PAPER NUMBER		
2832				
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07/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/587,699

Applicant(s)

BAUCH ET AL.

Examiner

Marina Fishman

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9, 10, 12-15 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9, 10, 12-15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

General status

1. This is a Non-Final Action on the Merits. Claims 9, 10, 12 – 15, 17 – 22 are pending in the case and are being examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9, 10, 12-15, 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Piazza et al. [US 6,784,392] in view of Cronin et al. [US 4,300,028].

Regarding Claims 9 and 17, Piazza et al. [Figures 1 - 3] disclose a high-voltage outdoor bushing configuration, comprising:

- an axis [along insulator 40, Figure 2];
- an electrically insulating casing [99, Figure 3];
- a switch-disconnector module [100] having an electrically conductive housing;
- a phase conductor [2] extended along said axis and to be interrupted by an isolating gap into a first section and a second section [Figure 3, first section 2, second section at 96]; and
- a switching piece or an element [94, Figure 4] of a multi-part switching piece to be moved at an angle relative to said axis, the

switching piece being driven by a shaft [93] passing through electrically conductive housing.

Regarding Claims 9 and 17, Piazza et al. disclose the instant claimed invention except for the conductive housing being substantially cylindrical. Cronin et al. [Figure 1] disclose disconnecter [43, 44] having substantially cylindrical housing. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a substantially cylindrical housing in Piazza et al. as suggested by Cronin et al. so as to make manufacturing easier. Although it is not clear from Piazza et al. [Figure 3], if smaller diameter shaft is a part of motor or the shaft [93]. It would have been obvious to extend the shaft portion beyond the outer wall [flange], so as to be accessible from outside the housing so that the shaft can be coupled to the motor [90].

Regarding Claims 10 and 18, Piazza et al. disclose a grounding switch [Figure 4, 94, 95, Column 3, lines 26 - 29] disposed within the electrically conductive housing, the grounding switch grounding at least one of the sections by continuation of a further movement of the switching piece [94]. Regarding Claims 12, 19, Piazza et al. disclose the switching piece [94] is a blade contact. Regarding Claim 13, Piazza et al. disclose the switching piece is pin-shaped [35, Figure 7, 8]. Regarding Claims 14, 21, Piazza et al. disclose a pillar supports [Figure 3, not numbered connected to 93] holding the isolating gap in the housing. Regarding Claims 15, 22, Piazza et al. disclose the switching piece is movable on a curved path [94 rotates].

Response to Arguments

4. Applicant's arguments with respect to claims 9, 10, 12-15, 17-22 have been considered but are moot in view of the new ground(s) of rejection.

In the Non-Final action mailed on 2/12/2008, the Examiner inadvertently copied a portion of rejection of Piazza et al. in a portion of rejection intended for Fuchsle et al. To reduce the issues, the Examiner has withdrawn the rejection based on Fuchsle et al.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Fishman whose telephone number is (571)272-1991. The examiner can normally be reached on 7-5 M-T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2832

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elvin G Enad/
Supervisory Patent Examiner, Art Unit 2832

/Marina Fishman/
Examiner, Art Unit 2832
July 7, 2008